

REMARKS

Claims 1-20 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 8, 12, and 18 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. These claims have been amended to correct the insufficient antecedent basis indicated by the examiner.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-7, 9-11, 13-17, and 19-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Cherry (Pat. No. 5,367,813). This rejection is respectfully traversed.

With regard to independent claims 1, 11 and 20, these claims as amended require the waterfowl decoy to have an eccentrically weighted reel. Gravitational pull will cause this novel reel to rotate to a position where the eccentrically weighted end is at the lowest or bottom point of the reel, in which positioned the eccentric weight resists rotation of the reel. The reel is preferably eccentrically weighted to a degree that allows the weight of the anchor to overcome this resistance, and rotate the reel to unwind the line until the anchor hits bottom. Thereafter, the eccentric weight resists further rotation of the reel, to keep the anchor line from playing out and allowing the decoy to move from where it was placed. Thus, the eccentrically weighted reel allows the anchor to self-unwind the line for simple deployment of the decoy. Furthermore, the eccentrically

weighted reel will come to rest in a position where the eccentrically weighted end is at the lowest point, in which position the eccentric weight also functions as a weighted keel to cause the waterfowl to self-right. Cherry does not disclose an eccentrically weighted reel, nor suggests the advantage of such a reel for self-unwinding or self-righting. As such, claims 1, 11 and 20 as amended are distinguished over Cherry and are not anticipated.

REJECTION UNDER 35 U.S.C. § 103

Claims 8 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cherry (Pat. No. 5,367,813) in view of Cram (Pat. No. 811,036), and claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cherry (Pat. No. 5,367,813) in view of Lu (Pat. No. 6,648,257). These rejections are respectfully traversed.

With regard to dependent claims 8, 12, and 18, these claims depend from the independent base claims 1 and 11, which applicants believe to be distinguished over the cited art and allowable for at least the reasons stated above. Thus, applicants submit that these dependent claims are also in a condition for allowance.

NEW CLAIMS ADDED

New claims 21 – 23 depending from claim 20 have been added, which Applicants believe are supported by paragraphs 4, 32 and 33 of the specification. Applicants believe these claims are also allowable for at least the reasons stated above. Therefore, all of the above claims should now be in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7500.

Respectfully submitted,

Dated: 15 DECEMBER 2004

By: BK Wheelock
Bryan K. Wheelock,
Reg. No. 31,441

HARNESS, DICKEY & PIERCE, P.L.C.
7700 Bonhomme, Suite 400
St. Louis, Missouri, 63105
(314) 726-7500

[BKW/KMP]